

11 October 2024

Mr Kila Gulo-Vui
Chief Executive Officer
National Information & Communications Technology Authority
Punaha ICT Haus
Frangipani Street
Hohola
National Capital District

By Email and By Hand Delivery

Dear Mr Gulo-Vui

SUBMISSION ON PROPOSED VARIATIONS TO THE LICENCE CONDITIONS RULE 2011 – 2ND ROUND CONSULTATION

1. This submission sets out Digicel (PNG) Limited's ("Digicel") comments with respect to NICTA's Discussion Paper titled *Proposed variations to the Licence Conditions Rule 2011 – 2nd Round Consultation* ("Discussion Paper") that was issued on 6 September 2024.
2. The Discussion Paper follows an initial round of consultation that commenced in October 2023. Among other things, it takes into account the feedback received from Digicel and other submitters that was received during that part of the process.
3. Digicel welcomes the efforts made by NICTA to reflect the feedback that was provided. In particular, we support the approach that has been adopted towards ensuring that network coverage and rollout obligations no longer discriminate between licensees.
4. Digicel remains concerned, however, that there continues to be a material degree of overlap between the locations specified in Schedules 7–10 of the proposed *"Standard and Special Conditions of Individual Licences Rule, 2024"* and UAS Projects that have previously been approved by the Minister, and for which UAS Levies have already been imposed by NICTA. As Digicel has previously submitted, the use of mandatory coverage and rollout obligations to meet universal access objectives is an interesting approach that – in our view – is worthy of further consideration. However, it does raise questions around existing UAS Projects that appear to be intended to be replaced by mandatory coverage and rollout obligations, and the validity or utility of any related UAS Levies.
5. It is Digicel's respectful submission that, in addition to enshrining non-discriminatory coverage and rollout obligations on licensees, the above-referred apparent conflict or overlap between the

proposed “*Standard and Special Conditions of Individual Licences Rule, 2024*” and existing UAS Projects must also be addressed. We would kindly request that NICTA clarify its position in this regard.

6. We welcome an opportunity for further discussion with NICTA on this important issue and, meantime, we thank NICTA for allowing us to make these submissions.

Yours faithfully

Digicel (PNG) Limited



Tarik Boudiaf

Chief Executive Officer